

DEPARTMENT OF JUSTICE
ROUTING SLIP

NAME	BUILDING AND ROOM
Mr. Marshall	
1.	
2.	
3.	
4.	
5.	

<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> COMMENT	<input type="checkbox"/> PER CONVERSATION
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> NECESSARY ACTION	<input type="checkbox"/> AS REQUESTED
<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION
<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

Burke -
The attached letter to
the F.C.C. will be
delivered to them by
messenger, today.
Jerry

FROM

NAME

HEILBRON

BUILDING, ROOM, EXT.

1348

DATE

Aug. 30 '63

UNITED STATES GOVERNMENT

Misc
DEPARTMENT OF JUSTICE

Memorandum

TO : Burke Marshall
Assistant Attorney General
Civil Rights Division

DATE: August 29, 1963
JMK:lah

JMK
FROM : Jerome K. Heilbron
Attorney

SUBJECT: Derogatory Broadcast - Station WBOB, Brunswick,
Georgia.

As you requested, I phoned Mrs. Frances Pauley, Georgia Council on Human Relations, and obtained this information concerning derogatory racial broadcasts made on Station WBOB, Brunswick, Georgia.

WBOB is part of the "Johnnie Reb" chain. Mrs. Pauley states that the "Johnnie Reb" chain is owned by Mr. Allan Woodall of Columbus, Georgia. The "Johnnie Reb" stations are:

WDAX - Columbus, Ga.
WALG - Albany, Ga.
WBOB - Brunswick, Ga.
WDAX - Mckay, Ga.
WAYX - Waycross, Ga.

On August 28, 1963, the Glynn Society for Democratic Action (Mrs. Pauley believes there is possibly an affiliation between this group and either the White Citizens' Councils or the KKK) ran ads in which it was stated that "The niggers are now marching in Washington"; "Keep the schools for white people"; and, there was an appeal for funds.

The foregoing information was reported to Mrs. Pauley by Mrs. J. C. Wilkes, wife of a Negro dentist. The information given by Mrs. Wilkes was verified by Mr. Edward T. Rogers, a physically handicapped, retired chemist. Mr. Rogers is white. The phone numbers of these persons are as follows:

Mrs. J. C. Wilkes - AM 5-5052
Mr. Edward T. Rogers - ME 8-8026.

3

- 2 -

I phoned Mr. Richard Saul, Chief, Complaints
branch, Federal Communications Commission, about
the foregoing. He assured me that he would im-
mediately write Station WMOG for a copy of the
subject advertisement and would advise me further
of what action could and would be taken.

103 Milton Street
Brooklyn, N. Y. 11222
August 20, 1963

Assistant Attorney General
Civil Rights Division
Department of Justice
Washington 25, D. C.

Sir:

Will you please try to obtain for me, from your files, a mailing address for Dr. Martin Luther King.

Thank you.

Sincerely,


Robert W. J. Wysocki



Assistant Attorney General
Civil Rights Division
Department of Justice
Washington 25, D. C.

20530

Typed 8-30-63

BM:JEM:lah

Mr. Ben F. Lattie
Secretary
Federal Communications Commission
Washington, D. C. 20534

Re: Derogatory Broadcast - Station WMOG,
Brunswick, Georgia

Dear Mr. Lattie:

This letter is in furtherance to telephone conversations I had with Mr. Richard Saul and Mr. Stanley Kaufman of your office.

On August 29, 1963, we received a complaint from Mrs. Frances Pauley, Georgia Council on Human Relations, Atlanta, Georgia, concerning derogatory, racial advertisements that were made on radio Station WMOG, Brunswick, Georgia.

Mrs. Pauley furnished us with this information: On August 28, 1963, the Glyn Society for Democratic Action (a segregationist group), ran ads over Station WMOG which stated in part that "The niggers are now marching in Washington"; "Keep the schools for white people"; and, also there was an appeal for funds.

Complaints were made to the station by local residents concerning the tenor of these ads and the use of the word "nigger". After complaints were phoned in to the station, they stopped using the expression "nigger", but the ads were continued.

The foregoing information was reported to Mrs. Pauley by Brunswick residents, Mrs. J. C. Wilkes (Negro), wife of a Negro dentist, and Mr. Edward T. Rogers (white), a young chemist who is retired because of a physical handicap.

- 2 -

Both Mrs. Wilkes and Mr. Rogers, independent of each other, gave Mrs. Pauley the same substantive account of these ads. Mrs. Pauley states that both of these complainants are responsible and reliable persons.

I took the liberty of suggesting to Mr. Saul and Mr. Kaufman of your office that, if it was possible, immediate steps should be taken to obtain the written copy from which these radio advertisements were read. This would be particularly helpful if it is material whether the word "nigger" was used or not.

I would appreciate it if you would advise the undersigned, or Mr. Burke Marshall, if I am not in town, concerning what action you take with respect to the foregoing complaint.

Sincerely yours,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

By: JEROME E. HEILBRON
Attorney

CC: Mr. Edwin O. Guthman
Special Assistant
Public Information

Mr. Burke Marshall ✓
Assistant Attorney General

Mr. Saul Kaufman
Federal Communications Commission

Records
Chrono
Heilbron

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF JUSTICE

Wice'

TO : Burke Marshall
Assistant Attorney General
Civil Rights Division

DATE: Aug. 31, 1963

SJB:llh

FROM : *[Signature]* John Barrett, Second Assistant
Civil Rights Division

SUBJECT: Plaquemines Parish, Louisiana;
Leander Perez v. U. S. Naval Air Station

On August 30, United States Attorney LaCour in New Orleans told me that he plans to talk to Sheriff Wooten in Plaquemines Parish regarding what action, if any, the Sheriff intends to take to enforce the recently adopted resolution and ordinance of the Plaquemines Parish Commission. Mr. LaCour knows Sheriff Wooten and is inclined to think that he will not do anything drastic. Mr. LaCour assumes that the "resolution" which declares the Naval Air Station "off limits" for civilians will not be enforced.

I told Mr. LaCour we were considering what legal action might be taken if the ordinance and resolution are actually implemented.

Mr. Murphy advised me that he has not been able to find any federal statute which would apply to the action of the Plaquemines Parish Commission. He not only researched the question himself but also contacted the Air Force and Navy JAG offices. Navy JAG is obtaining copies of the resolutions for us. They go into effect on either the 5th or 6th of September. Section 244 of Title 18, which punishes discrimination against uniform service men in places of entertainment or amusement, applies only to the District of Columbia and other federal territory.

It may be that Section 241 could apply to a conspiracy to injure or oppress citizens in their federal right (and there surely must be such a right) to go freely to their places of employment on the Naval Air Station, to take supplies into the station and otherwise do business on the station. I don't

- 2 -

think it would apply, however, to the use of off-base business facilities by uniform service men, although even there it might apply as Perez is certainly intending to injure and oppress them by reason of their service with the United States. Prosecution under 241, however, requires grand jury indictment.

Mise

31 August 1963

Mr. Robert W. J. Wysocki
103 Milton Street
Brooklyn, New York
11222

Dear Mr. Wysocki:

According to our records, Dr. Martin
Luther King can be addressed as follows

Dr. Martin Luther King
407 Auburn Avenue, N. E.
Atlanta, Georgia

Very truly yours,

Linda K. Stores
Secretary to Burke Marshall
Assistant Attorney General
Civil Rights Division

6 September 1963

MEMORANDUM TO THE SOLICITOR GENERAL

Attached is correspondence received by me from Robert D. Childres regarding the possibility of employment here in the Department. As he evinces an interest in working with you, I attach the same for your consideration.

BN

Attachment

Memorandum

TO : Burke Marshall

DATE: September 7, 1963

FROM : *64* Ed O'DonnellSUBJECT: Speech by Harlan Cleveland *6329*
Dr. L.

When I called Harlan Cleveland, he told me that Kenny O'Donnell and Lee White recommended that he not give it. I will explain when I see you.

However, he thought that the Secretary might give a speech along this line later in the month and he was going to give it to him. He asked if we had any suggestions that we put them in writing and send them to him.

I was going to make three minor suggestions because I thought it was a very good speech.

On page 5 or somewhere in the speech, I would make mention of the fact that a great many Asians have been integrated into our society--Filipinos, Japanese and Chinese. The hyphenated Americans slipping into history are not only those with European backgrounds.

Also on page 5, fifth paragraph, last line, I suggest adding the words in some states to the last sentence.

12,
On page 12 in the summary, I would include an additional point -- the majority of the American people are now committed to making progress in resolving racial problems and will not accept the status quo.

Herbert J. Miller
Assistant Attorney General
Criminal Division

Sept. 11, 1963

Burke Marshall
Assistant Attorney General
Civil Rights Division

BM:stj

Solicitation for a Political
Contribution

Attached is a solicitation for \$10.00 to the "Kennedy Retirement Fund" which was mailed by the Republican Action Fund at the Republican National Headquarters to Mr. A. B. Caldwell, an attorney in this Division.

You will note that the picture shows three rocking chairs -- one labeled "his", a smaller one labeled "Bobby's", and an even smaller one (containing a teddy bear) labeled "Teddy's".

This solicitation was sent to Mr. Caldwell's office. It is a solicitation for a political contribution. It is accordingly a flagrant violation of Section 603 of Title 18.

I feel I should disqualify myself from this case, and am, accordingly, referring it to you for immediate and forceful action.

cc: Attorney General

Deputy Attorney General

John E. Nolan, Jr.
Administrative Assistant

MNH:sbh
144-80-3

Waceo W. Hubbard

typed 9-12-63

Florence B. Howell
442 Emerson Street, N. W.
Washington 11, D. C.

Miss Howell is an old customer, and in my opinion mentally disturbed. As I stated in my telephone conversation with you, I would suggest that no reply be made to the letters returned herewith.

Our file shows that around 1939 or 1940, Miss Howell, then a student at the West Virginia State College for Negroes, sent the President of the college a letter threatening to kill him, and as a result was arrested and sentenced to a term in the Federal Reformatory at Alderson, West Virginia. Upon her release, she sought readmission to the college. When this was refused, she claimed that she was being deprived of her civil rights. She next sought employment in the federal government. Apparently the Civil Service Commission gave her some sort of examination or test, but refused to certify her as eligible for federal employment after receiving information from the Bureau of Prisons concerning her behavior etc. at the Reformatory. Miss Howell next demanded employment in the Department of Justice, and this is apparently the demand that she is making today. Our file indicates that she has been advised, in several letters, since the early or middle 1940s that the Department cannot assist her in connection with her request for employment, and that her difficulties involve no violation of the civil rights statutes. I, as well as other Department attorneys, have interviewed her, and advised her to the same effect.

Enclosures

cc: Records
Mr. Hubbard
Chron.

- 2 -

Miss Howell has been making attempts to see Mr. Marshall for several months. In seeking an appointment she sent us a spurious telegram, about two months ago, purporting to be from the President of the Local Chapter of the W. A. A. C. F. and the wife of Clarence Mitchell, Head of the Washington Branch of the National W. A. A. C. F. In addition, I am informed that she cursed out one of the secretaries in Marshall's office.

If you still want to reply to her letters, I shall be glad to prepare a draft. I am almost certain however that a reply will simply generate more letters, telephone calls, and other efforts to reach the Attorney General personally.

Memo from:

EMIL HESS
FAirfax 2-1611

line:

• Tell Bob
to put the
back back in
the bottom of
compartment

SMITH, MOORE, SMITH, SCHELL & HUNTER
ATTORNEYS AND COUNSELLORS AT LAW
SUITE 100 JEFFERSON STANDARD BUILDING
GREENSBORO, N.C.

September 20, 1963

TELEPHONE 373-0000
PAGE 2

Honorable Burke Marshall
Assistant Attorney General
Office of the Attorney General
of the United States
Justice Department
Washington, D. C.

Dear Burke:

I am sorry to have missed you last Thursday night when I was passing through Washington and called your office. L. Richardson Preyer has made a very good Judge and will make a good Governor and we are doing all that we can to insure that he is elected. His retirement from the Bench in the Middle District leaves a vacancy which many are seeking to fill. Ralph Stockton of Winston-Salem is an experienced trial lawyer with whom I have had many good associations. He is a diligent worker and keeps current. His performance can reasonably be predicted to be closer to that of Preyer's than any of the candidates mentioned around here and some of them (who are also my friends) have attitudes and points of view that would be handicaps to them in discharging the responsibility of a United States Judge.

If the occasion arises when it would be of any interest, I would be glad to discuss this with you more directly.

Kindest personal regards,

Yours aye,

McNS:bmc

P.S. Perhaps you will recall that Rich Preyer, although speaking at the Law School at Chapel Hill on the same night, May 1, 1963 that you spoke at the Carolina Inn, nevertheless came by the Carolina Inn to speak to us at the start of the dinner and to express his regrets about the conflict which prevented him from staying through the whole evening with us.

McNS

See Dean:
 How small is a
 sort say, how hard
 this? When you
 of printing?
 Thursday night
 called your

DEPARTMENT OF JUSTICE
ROUTING SLIP

Don

NAME		BUILDING AND ROOM
1	<i>[Signature]</i>	
2	<i>Forster 114.5</i>	<i>114.5</i>
3		<i>Letter to the Smiths</i>
4		
5		<i>Dear Mr.:</i>

<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> COMMENT	<input type="checkbox"/> RECONVERSATION
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> NECESSARY ACTION	<input type="checkbox"/> AS REQUESTED
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<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

Mr. Smith is a ...
How about this? Who ...
are you appointing?
11/14/48
Your son ...
24 Sept.

FROM NAME	BUILDING, ROOM, EXT.	DATE

Misc.

C. P. J. MOONEY
LAWYER
600 COMMERCIAL TRUST BUILDING
MEMPHIS, TENN.

September 25, 1963

Honorable Burke Marshall
Assistant Attorney General
Civil Rights Department
U. S. Department of Justice
Washington 25, D. C.

Dear Mr. Marshall:

I have your letter of September 19, 1963, in response to an inquiry I made of the Attorney General on June 22, 1963. I cannot find a copy of my letter of that date. If you will re-read my letter, I am satisfied you will find that someone has been proceeding on a false premise. I knew at the time I wrote the same that a number of white lawyers in Memphis had been invited to the conference. In my opinion there was not a Kennedy vote among the group invited. I think some of the lawyers that have supported Mr. Kennedy and have in the past supported all of the democratic nominees should have been invited.

At any rate it is nice to hear from you again. Please remember me to Messrs. Doar and Flanery.

Sincerely,

C. P. J. Mooney
C. P. J. Mooney

CPJM/CAG

Snob

27 September 1963

McNeill Smith, Esquire
Smith, Moore, Smith, Schell
& Hunter
Attorneys at Law
Suite 700
Jefferson Standard Building
Greensboro, North Carolina

Dear Vac:

Thank you for your letter and
thoughts on the vacancy created by
Judge Preyer's resignation. They
will be given consideration. He is
outstanding, and a loss to the bench.
I hope he makes it.

Best regards,

Burke Marshall
Assistant Attorney General
Civil Rights Division

The Diebold Group, Inc.

Management Consultants

Dear Mr. Blyth:
Thank you for your letter I was
called and I indicated my interest in the project
was progressing, and I am glad to
hear that you are working
at Tougaloo. Call me when you are in
October 2, 1963
-The is yours very truly,
John W. Blyth

Dear Mr. Marshall:

When I returned from a trip to Europe recently, I found that you had placed a telephone call for me in my absence. I am very sorry I missed your call. Please let me know if there is any way in which I can be of service to you.

You will perhaps remember the discussions I had with you and Bob Moses on literacy problems in Mississippi. I am delighted to be able to report that we are now getting started on that project. An anonymous gift was made to Tougaloo Southern Christian College to enable me to work with a group of Negroes in developing programmed materials to help illiterate adults learn how to read and write.

You may remember also that I have been trying to organize a project relating literacy training to job training. I had expected long ago to have such a project organized with OMAT. So far I have been unsuccessful in getting a concrete project organized, although I still have some rather dim hope of eventually succeeding.

As we make progress in this effort, I shall keep you informed. In the meantime, may I express my appreciation to you for your interest and cooperation in trying to get this project underway.

Sincerely yours,

John W. Blyth

John W. Blyth, Ph.D.

Director

Programed Learning Department

Mr. Burke Marshall
Room 1145
Department of Justice
Ninth Street & Pennsylvania Avenue
Washington 25, D. C.

cc: Mr. John Doar

The Diebold Group, Inc. ALDERSON ASSOCIATES, INC. • JOHN DIEBOLD & ASSOCIATES • GRIFFENHAGEN KROEGER, INC.
MANAGEMENT SCIENCE TRAINING INSTITUTE • ADP CO., INC. • DIEBOLD DE LATINO AMERICA, C.A. • LE GROUPE DIEBOLD EUROPE, S.A.
NEW YORK • CHICAGO • PHILADELPHIA • WASHINGTON • SAN FRANCISCO • LOS ANGELES • LONDON • PARIS • ROME • AMSTERDAM • FRANKFURT • CARACAS

MEMORANDUM TO THE HONORABLE HARLAN CLEVELAND

FROM: Burke Marshall

I am returning herewith the speech you sent over for review. I thought it was very good. Ed Guthman also reviewed it, and makes the following three very minor suggestions:

1. On page 5 or somewhere in the speech, I would make mention of the fact that a great many Asians have been integrated into our society -- Filipinos, Japanese and Chinese. The hyphenated Americans slipping into history are not only those with European backgrounds.
2. Also on page 5, fifth paragraph, last line, I suggest adding the words "in some states" to the last sentence.
3. On page 12 in the summary, I would include an additional point -- the majority of the American people are now committed to making progress in resolving racial problems and will not accept the status quo.

BM

2 October 1963
Attachment - Draft Speech

Misc.

4 October 1963

Joseph A. Califano, Esquire
General Counsel-Army
Room 2H-614
The Pentagon
Washington 25, D. C.

Dear Joe:

In accordance with our telephone conversation, I am enclosing Mr. Hoover's memorandum to me on the sales of surplus arms to some southern communities. Would you please return them all to me when you have finished with them.

Very truly yours,

Burke Marshall
Assistant Attorney General
Civil Rights Division

Attachment

Misc.

4 October 1963

Dr. John W. Blyth
Director
Programed Learning Department
The Diebold Group, Inc.
430 Park Avenue
New York 22, New York

Dear Dr. Blyth:

Thank you for your letter. I
called you to find out how your project
was progressing, and am glad to learn
that you are starting at Tongaloo.
Let me know if there is some way I
can be of assistance.

Very truly yours,

Burke Marshall
Assistant Attorney General
Civil Rights Division

cc: Mr. Robert Moses

I hope you will not
think this presumptuous.
It is in response to
Mr. Katagah's Letter
& J.S. ARJ of 4/18/63.

Sincerely

Chy

Attached

DEPARTMENT OF JUSTICE
ROUTING P

NAME	BUILDING AND ROOM
1 John Dorr	
2	
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4	
5	

<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> COMMENT	<input type="checkbox"/> PER CONVERSATION
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> NECESSARY ACTION	<input type="checkbox"/> AS REQUESTED
<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION

☐ ANSWER OR ACKNOWLEDGE ON OR BEFORE _____

☐ PREPARE REPLY FOR THE SIGNATURE OF _____

REMARKS

10.7.63

What is your comment?

BM

① I like Mrs. Hical's signature. However, I do not feel it to be suitable manuscript for stamp which the office is using. ~~Therefore~~ I think the IT should be discouraged. Note that 3 of 4 signatures recommended.

FROM NAME	BUILDING, ROOM, EXT.	DATE

ROUTING **lp**

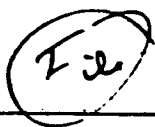
TO	
NAME	BUILDING AND ROOM
1. Burke	
2.	
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<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

October 9, 1963

I like Mrs. Heard especially --
However, I do not feel it to be sensible management for someone outside the office to be rating employees. I think that it should be discouraged. Note that 3 of 4 secretaries recommended.


JD

FROM	
NAME	BUILDING, ROOM, EXT. DATE

DEPARTMENT OF JUSTICE
ROUTING SLIP

22

TO	
NAME	BUILDING AND ROOM
1. <i>[Signature]</i>	
2. <i>[Signature]</i>	
3. <i>[Signature]</i>	
4. <i>[Signature]</i>	
5. <i>[Signature]</i>	

- | | | |
|---|---|---|
| <input type="checkbox"/> SIGNATURE | <input type="checkbox"/> COMMENT | <input type="checkbox"/> PER CONVERSATION |
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| <input type="checkbox"/> RECOMMENDATION | <input type="checkbox"/> CALL ME | <input type="checkbox"/> YOUR INFORMATION |
| <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ | | |
| <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____ | | |

REMARKS
Herewith a copy of our financial position as of Sept. 30. As pointed out in my memo of October 11, our budget is computed on the basis of the House figure- \$ 1,070,000.

Our final figure for fiscal 1963 has been raised to \$69,710, or \$21,303 over the figure set out in my memo. This increase represents a pro rate charge against all divisions for use of paper, supplies, equipment furnished by the Dept.

[Signature]

FROM	
NAME	BUILDING, ROOM, EXT. DATE
WJH	10-15

DEPARTMENT OF JUSTICE
Statement of Obligations and Balances

Appropriation **DEPARTMENT AND INDIAN, GENERAL INVESTIGATIONS**
Division **CIVIL RIGHTS**

Date **10-9-63**
Period ending **September 30 1963**

	PRIOR YEAR OBLIGATIONS			CURRENT YEAR OBLIGATIONS		
	Same Period	Total	Obligated to date	Annual Projection	Authorized	Estimated Balance
1. of positions Avail. No. Employees						
2. Personnel compensation						
Permanent	157,774	628,124	208,391	646,800	628,730	626,391
Temporary	6,319	14,721	17,024	19,100	17,000	17,000
Fees, etc.	35	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -
3. Personnel benefits	11,131	47,593	15,750	62,000	66,050	59,506
4. Travel	83,505	108,654	87,011	108,000	62,800	55,709
5. Freight, express, etc.	8	779	300	800	- 0 -	300
6. Rent, communications, and utilities	6,603	89,143	11,606	45,000	52,800	40,574
7. Printing and reproduction	3,808	89,570	6,133	39,000	11,800	5,667
8. Other services	1,390	82,803	6,843	39,000	34,500	88,677
9. Supplies and materials	1,442	17,343	2,114	6,700	8,700	5,506
10. Equipment	8,679	17,470	579	15,700	15,700	15,111
11. Other			(-) 15,803	(-) 15,803	(-) 15,803	(-) 15,803
Totals	217,847	959,710	294,162	1,146,815	1,078,600	702,439
Other Income \$148						(-) 87,812

ANNUAL REPORT

Balance:

(11)	Regular Contributions (one employee) Set II, Pay Increase	\$ 833,609
(12)	Regular Contributions Set II, Pay Increase	14,832 14,832 83,977 1,096 83,977

Note: Total obligations fiscal 1963 - \$969,710
Previous report 949,327
21,383

Items 24, 26, and 31 increased for payment of stock

October 4, 1963

Honorable Burke Marshall
Assistant Attorney General
Department of Justice
Washington, D.C.

Dear Mr. Marshall:

The impending trial of nine members of the Albany Movement on charges of obstruction of the federal judicial process and of perjury brings to a head a problem of which, of course, you are not unaware, but which we would wish to call to your particular attention.

There exists, as you know, a small but significant cadre of young people, white and Negro, Northern and Southern, who, in numerous places in the South, whether in connection with voter registration or otherwise, have provided what Southern Negro communities naturally often lack -- namely, the initiative, the energy, the will to exercise constitutional rights. These young people have thus done selfless, dedicated work, supplying what the federal government cannot give, but can only support. They are denounced as outside agitators by the segregationists, but in a federal union in which social justice is the business of all citizens, these young people are in fact a brave body of volunteers performing a task that is in the highest national interest. They are, we believe, a national asset, and their morale, their sense of mission and their consciousness of support for their efforts in the country at large are properly matters of national concern. They face enormous difficulties and severe hardship and danger; most have been harassed, some have been abused and beaten, a few -- as currently in Americus, Ga. -- have been subjected to blatant persecution in local courts. They must have the sense that the country at large sustains them and that the federal government is sympathetic to their efforts and will support and protect them when it can lawfully do so.

We are greatly worried that these young people now face a crisis of morale, that a feeling of abandonment is taking the place of their consciousness of support, that a sense of despair threatens to envelop their sense of mission. This is especially so with respect to Albany, where, for a variety of reasons, the movement in which some of them have participated has not been a success. We believe that many of them have come to feel that the government does not intend to use the federal criminal process or any other means to protect them, and that they have been left entirely without recourse in face of unlawfully repressive local police action. This feeling is not unnaturally brought to a climax by the government's impending prosecution of members of the Albany Movement. That prosecution, in other words, has come to symbolize, we are convinced, much more than it signifies.

We are aware that the Department has brought law-suits, some of them criminal, against Southern officials charged with violating civil rights. And

we are aware of the difficulties of proof and the like. We write nevertheless to urge upon you the importance of continued and intensified efforts in this direction, and to request that, for the reasons we have recited, the Department assign the highest priority to such efforts. It is clear beyond doubt that the Federal government cannot alone achieve the objectives stated in the President's address to the nation and in his subsequent message transmitting to Congress the proposed Omnibus Civil Rights Bill of 1963. Government can open the avenues to the achievement of these large ends, but the people concerned must themselves seek to gain the place in American society that is rightfully theirs. The cadre of young leaders whose morale is, we believe, in the balance thus plays a singularly important role, for without the energy and the spark they provide -- though they are not, of course, alone -- all may come to naught. We would therefore also urge you, at this time of crisis for these people, when they attach such symbolic meaning to the Albany prosecution, to find the occasion for an official statement of some sort, indicating that the Department has tried in the past, and that it will intensify its efforts in the future, to prosecute for violations of civil rights in connection with voter registration drives and other legitimate manifestations of Negro grievances, and otherwise to offer what protection it can against excesses by local officials.

Faithfully yours,

Paul A. Freund

Paul A. Freund
Carl V. Loeb University Professor
Harvard University

Mark DeW. Howe

Mark DeW. Howe
Professor of Law
Harvard Law School

Donald F. Turner

Donald F. Turner
Professor of Law
Harvard Law School

Alexander M. Pickel

Alexander M. Pickel
Professor of Law
Yale University

Charles L. Black, Jr.

Charles L. Black, Jr.
Henry R. Luce Professor of
Jurisprudence, Yale University

Fleming James, Jr.

Fleming James, Jr.
Lafayette S. Foster Professor
of Law, Yale University

*I would like to see or
make it so*

PK

Department of Justice
Washington

October 4, 1963

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: Voting Suits

If we are not overtaken by other events which require the time of too many lawyers, I plan on the following suits between now and the end of the year. All of these are conditional upon unsuccessful negotiations, some of which are already underway:

LOUISIANA

1. Against the State challenging the use of application cards as an examination. This would particularly affect practices in New Orleans, Baton Rouge and Shreveport. This is not negotiable since we are challenging the constitutionality of the practice.
2. St. Helena Parish. This is prepared but not negotiated. About 11% of the Negroes of proper age are registered, but almost 80% of the recent applicants have been rejected, as against a 10% rejection rate of whites.
3. East Feliciana Parish. There are about 100 Negroes registered, but there is both intimidation and discrimination in the application of standards. This is in preparation, and will be ready shortly.
4. West Feliciana Parish. There are no Negroes registered. This case is prepared, has been negotiated, and should be filed this month. We are also preparing a 1971(b) case to prevent intimidation by the Sheriff unless they agree to drop criminal charges against a registration worker.

ALABAMA

1. Hale County. A complaint will be ready this month; to be negotiated.
2. Sunter County. A complaint will be ready this month; to be negotiated.
3. Etowah County. This is ready and is being negotiated.
4. Wilcox County. This is an intimidation case which is in preparation.
5. Autauga County. This is not prepared but will be before December 1.
6. Russell County. This is not prepared but will be before December 1.
7. Lowndes County. This is not prepared but will be before December 1.

MISSISSIPPI

1. Lauderdale County. In negotiations which will be unsuccessful.
2. Leske County. In negotiations which will be unsuccessful.
3. Copiah County. In negotiations which will be unsuccessful.
4. Warren County. In negotiations which will be unsuccessful.

GEORGIA

We are preparing an intimidation case in Webster County.

RM
BN

From
THE ATTORNEY GENERAL

Deputy Attorney General.....	
Solicitor General	
Executive Assistant to the Attorney General	
Assistant Attorney General, Antitrust	
Assistant Attorney General, Tax	
Assistant Attorney General, Civil	
Assistant Attorney General, Lands	
Assistant Attorney General, Criminal.....	
Assistant Attorney General, Legal Counsel.....	
Assistant Attorney General, Internal Security.....	
Assistant Attorney General, Civil Rights	X
Administrative Assistant Attorney General.....	
Director, FBI	
Director, Bureau of Prisons.....	
Director, Office of Alien Property.....	
Commissioner, Immigration and Naturalization..	
Pardon Attorney	
Parole Board	
Board of Immigration Appeals	
Special Assistant for Public Information	
Records Administration Office	

For the attention of Burke Marshall

REMARKS: I would like to do as much as we can.

RFK

See AC's comment.
[Signature]

Alabama Ave
Building 14 apt 1a
Paterson 3, N.J.
Oct 11, 1963

For Burke Marshall
Assistant Attorney General for Civil Rights
I am 17 years old the sole
victim from Paterson who was sent
as a Rep. It was a pleasure to
meet you and the information I obtain
was very educational to the Commission.
I expect to be in Washington soon
and wonder if you will welcome a
visit from me and extend courtesy
office I also would like to discuss
a couple of problems concerning Civil
rights and do you think there
has been much improvement in
Civil rights problems now I
would like your personal reply
Please Reply

William Barnes Yours truly
Alabama Ave William Barnes
Building 14 apt 1a
Paterson 3, N.J.

P.S. if you have any additional letters on Civil
rights Please send.

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO	
NAME	BUILDING AND ROOM
1. John Deas	
2.	
3.	
4.	
5.	

<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> COMMENT	<input type="checkbox"/> PER CONVERSATION
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> NECESSARY ACTION	<input type="checkbox"/> AS REQUESTED
<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION

☐ ANSWER OR ACKNOWLEDGE ON OR BEFORE _____

☐ PREPARE REPLY FOR THE SIGNATURE OF _____

REMARKS

14 October

See the AG's comments.

BM

So much \$ \$ \$

\$ \$ \$ \$ \$ \$

FROM		
NAME	BUILDING, ROOM, EXT.	DATE

October 14, 1963

Professor Nicholas Anagnos
Department of Economics
Howard University
Washington, D. C.

Dear Professor Anagnos:

Thank you for arranging the interview with Mr. Ralph Meins, Business Analyst in the Office of International Regional Economics, Division of International Trade Analysis, for me.

I regret that I was reluctant to proceed upon it due to the following circumstances:

I have been arrested and charged with disorderly conduct three (3) times, and incommoding twice, the last of said charges was made five (5) years ago.

The first charge by the police consisted of a statement by a companion who was present with me in a restaurant and stated this: "I do not like the atmosphere in here." A policeman entered at that moment and heard this. When we left and had walked around the corner, the policeman had called the squad car which took us to the precinct. This occurred in June, 1955.

The second incident occurred in July, 1957. I was standing in front of my father's parking lot talking to a companion when a policeman told us to move. This I refused to do since I was standing in front of my father's business. Thus, I was arrested for incommoding the sidewalk.

The third incident occurred in July, 1955 when I was returning from a party. A policeman accosted us in a traffic congestion. The officer referred to me as a "boy," which I resented. I was charged with disorderly conduct.

At 8th and M Streets, N. W., near the Immaculate Conception Church, I was riding in a car and was again stopped by the police, I do not remember the reason; he referred to me again as a "boy" which I resented.

- 2 -

On all these charges I forfeited collateral with the exception of the third, whereupon I went to court and was fined \$25. I protested the conviction.

Very truly yours,

Barrington K. Brown

Barrington K. Brown

Form No. DJ-100
(Rev. 6-19-61)

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO	
NAME	BUILDING AND ROOM
1. Mr. Marshall	
2.	
3.	
4.	
5.	

<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> COMMENT	<input type="checkbox"/> PER CONVERSATION
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> NECESSARY ACTION	<input type="checkbox"/> AS REQUESTED
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<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION

☐ ANSWER OR ACKNOWLEDGE ON OR BEFORE _____

☐ PREPARE REPLY FOR THE SIGNATURE OF _____

REMARKS

October 18, 1963

So would I. \$ \$ \$ \$ \$ \$ \$ \$ \$ \$

John

FROM	
NAME	BUILDING, ROOM, EXT. DATE

Memorandum

TO : Burke Marshall
Assistant Attorney General

DATE: October 21, 1963

FROM : William J. Holloran

SUBJECT: Phone Call from U.S. Attorney George E. Hill

USA George E. Hill phoned from Grand Rapids, Michigan, at 3 p.m. today. He talked with me after he was unable to reach Doar, Barrett, or Hubbard.

He advised that pressure is being put on him to have the Government involve itself in a community real estate dispute, which he felt was not within the Department's jurisdiction. A group of Negroes, headed by a dentist known to him, successfully bid for 20 acres of residential property offered by the Sinking Fund Trustees, an instrumentality of the city of Grand Rapids. The \$60,000 bid (following an earlier rejection of a lower bid) was accepted by the Trustees and a contract was signed which was approved by the mayor. Two City Councilmen thereafter raised objections on the matter of financial responsibility and challenged the legality of the sale. There was an unsuccessful injunction proceeding involving the question of whether the property was subject to a city park plan, but Mr. Hill had no details to offer at this time. Since then a city ordinance has been passed relating to surety bonds on purchase of city property and an attempt is being made to put the acreage in another drainage district which would cost the purchasers some \$17,000 more.

The group is complaining to Mr. Hill that they are in effect being discriminated against through these maneuvers. They indicated that they wish the Government to intervene as in the Meredith case, but he explained that the Department's actions were in connection with the enforcement of a Federal court order.

Mr. Hill will furnish this Division a more detailed report of this complaint.

HOWARD UNIVERSITY
WASHINGTON, D. C.

DEPARTMENT OF DOCUMENTS

October 21, 1963

The Honorable
Burke Marshall
Assistant Attorney General
Civil Rights Division
Department of Justice
Washington, D. C.

Dear Sir:

I am submitting herewith a letter which a student of mine sent me, and which as I understand, it might be interpreted as follows. This student, as a young boy, had some difficulties with the police. I talked to him on each one of the cases and it became clear that the whole matter is the by-product of a nonsense attitude of a boy who was fighting between delinquency and a straight life.

I attach herewith the academic record of this student which proves that he fought and won the battle for his life. He is one of our best students. He is now working for his Master's degree and is doing an excellent job.

The reason for bringing this matter to your attention is that the student is being interviewed for employment with the Federal Government and he wants the authorities to know what has happened before the investigating procedure comes up with a story which might be damaging beyond repair. I consider the student's approach to the whole matter very commendable and I'm asking your help in this direction because I am about to write a recommendation for him for Federal employment.

Very truly yours,

Nicholas C. Anagnos
Nicholas C. Anagnos,
Associate Professor
of Economics

NCA/mej

Enclosure:

*John Adams:
What should we do?
Would you let me know
so that I can reply to the letter.
JH*

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO		BUILDING AND ROOM
1.	<i>Mr. Marshall</i>	
2.		
3.		
4.		
5.		

W. C. Sullivan
Test

<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> COMMENT	<input type="checkbox"/> PER CONVERSATION
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<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION
<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

Since July 1961, we have returned indictments or filed information against a total of 44 police officers growing out of brutality matters (28 cases)

FROM

NAME	BUILDING ROOM EXT.	DATE
		<i>10/22/63</i>

22 October 1963

Mr. William Barnes
Alabama Avenue
Building 14 Apt. 1-A
Paterson 3, New Jersey

Dear William:

In Mr. Marshall's absence from the city, I am writing in reply to your letter of Oct. 11.

As you know, Congress is currently taking the civil rights legislation under consideration. Mr. Marshall has been up on the Hill every day he has been in town, and is subject to call on a minute's notice. I seriously doubt that he would be in the office long enough to have a worthwhile discussion with you, such as the type you outlined in your letter.

May I suggest that you contact the Commission on Civil Rights? I am sure they would be more than happy to see you, and in addition to seeing you, will have all manner of printed material which would be interesting for you to read.

Sincerely,

Linda K. Stores
Secretary to Burke Marshall

P.S. if you have any additional letters on civil rights please send.

DRAFT -- Young Presidents Organization

The idea that a Democratic Administration is hostile to businessmen, and vice versa, is such an old and well-loved American myth that it seems almost sacrilegious to say anything against it.

Maybe it ought to be cherished as a part of our national folklore, along with the notions that cowboys are always braver than Indians, that all American mothers bake first-rate apple pie, and that nobody ever beats the Yankees in a World Series.

Myths can be comforting, especially when they seem to enforce what we'd like to believe -- but they tend to evaporate under exposure to reality.

What I'd like to do here this morning, with your help, is shed a little reality on the myth about Democrats and businessmen. And I'd like to point out further that none of us, as Americans, can afford to indulge in myths of any kind if we hope to meet and solve the gravest issues that confront our country today.

First, let's look at some figures concerning American business. Since early 1961, the nation's industrial production has risen twenty-one percent, and average operating rates of manufacturing have risen from 77 percent of capacity to 87 percent.

Business profits after taxes have come up forty percent, from an

annual rate of 17.2 billion dollars to 26.8 billion. And business-fixed expenditures have risen from 45 billion to 54 billion.

According to a recent McGraw-Hill survey for the year 1963 as a whole, plant and equipment spending is expected to be more than two-and-a-half billion dollars above the 1962 level. And respondents to the survey attributed more than a billion dollars, or forty percent of that increase, to two of this Administration's actions -- the liberalization of depreciation guidelines granted by the Treasury Department at the President's request, and the seven-percent tax credit which Congress put into effect last year.

Nevertheless, our present rate of economic growth is still too slow to absorb the available work force. Even allowing for current improvements, it would take roughly ten years for our economy to reach a full level of employment -- and we can't afford to wait that long.

Nor can industry be expected to expand its capacity without some clear indication that markets will exist for the increased production of goods.

In other words, some major fiscal stimulus is plainly required to develop the economic momentum we must achieve.

According to the terms of the myth, this Administration might be expected to try stimulating the economy through increased Federal spending.

Yet instead, the President has chosen to advocate a program of tax reduction -- a program to bolster the initiative of private citizens and business firms, to enlarge the role of private business, rather than

-3-

enlarging the role of the Government.

This Administration's whole economic policy, in fact, is designed to release and encourage the power of free enterprise.

As the President recently pointed out, "The free market is a decentralized regulator of our economic system. It is not only a more efficient decision-maker than the wisest central planning body could be, but even more important, it keeps economic power widely distributed. It is thus a vital underpinning of our democratic system."

I could go on with other examples -- the Administration's bill favoring the de-regulation of railroads, for instance, and its decision for private development of a world-wide satellite communications system -- but I think I've said enough to show that the Government today is anything but anti-business.

How businessmen feel toward the Government is of course another matter -- and one on which you are better qualified to speak than I am. But I believe at least that there can be little logical support for the old anguished cries about "irresponsible controls" and "creeping socialism."

I believe too that there is a growing sense of public responsibility among American businessmen today -- a sense of direct engagement in national and world affairs that rises above political partisanship.

We all saw gratifying evidence of this last year, when industrialists, private attorneys and citizens throughout the country joined forces in a massive voluntary effort to free 1,113 prisoners from Cuba.

That was a job that couldn't have been done by the Government alone --

or by business alone. If Castro had dealt directly with the Government in arranging the ransom terms he would have reportedly raised the ante, and the whole operation might well have bogged down in international politics.

Only by making it clear that the rescue operation was the work of private citizens donating their time, goods and money were we able to get the prisoners released. And only by using Government forces behind the scenes, to coordinate and expedite the project, were we able to get it done so quickly and with such a minimum of red tape.

If nothing else, that emergency proved how much can be accomplished when business and government work together, in a spirit of mutual dedication to the good of the country.

Hopefully, we will never again face a crisis like that one. But this is by no means to suggest that we will never again have a need for that kind of cooperation.

We are faced today, and will be faced for years to come, with a domestic crisis that calls for all the voluntary help we can muster within the business community.

I'm referring, of course, to the crisis in race relations -- that enormous complexity of human problems that has come to be known by the inadequate name of Civil Rights.

If the legislation now pending in Congress is passed, it will go a long way toward removing certain basic inequities, and it will provide the American Negro with an article of faith -- with confidence that his country

-9-
is responsive to the redressing of legitimate grievances.

But no legislation, no act of Government alone can get at the heart of the problem that exists today, not only in the South but in all parts of the United States.

Only better education, better employment opportunities, better housing and more enlightened social attitudes will help Negroes to attain the full citizenship they have deserved for so many years. And only these things will put an end to the unrest and tension that poses a constant threat of disorder and violence within our society.

These are community matters -- they can only be dealt with by responsible civic action within each county, each city, and each neighborhood.

Like all community needs, they require vigorous and continuing leadership. And you, as influential and respected men in your own communities, are as well qualified as anyone to take that initiative.

Wherever you live, even if it's a town that prides itself on having little or no racial unrest, you can be sure that a great deal needs to be done -- and more than likely the need is urgent and immediate.

Assuming your interest and willingness to take such responsibility, there are any number of decisive things you can do.

You can initiate, help organize, and participate in local bi-racial committees -- groups devoted to the peaceful solution of interracial disputes rather than allowing them to erupt in the streets.

-5-

You can effect, or at least make specific plans for, the desegregation of your own public facilities -- and for the hiring and upgrading of as many qualified Negro employees as is feasible.

You can speak out publicly to urge respect for the judiciary and the legal process in the settlement of civil rights issues.

You can concern yourself publicly with local educational and recreational facilities, and engage in efforts to combat the problem of school dropouts.

As business men, you know that the market for unskilled labor is rapidly shrinking under the advance of automation. You know that youngsters whose education is cut off short of a high school diploma are headed for probable unemployment -- and since a high percentage of school dropouts today are Negroes, you can see how this dilemma bears directly on the overall racial problem.

Here in Washington, to cite just one example, civic leaders are now waging a full-scale campaign against dropouts. Part-time and summer jobs are found for needy boys and girls to help them stay in school, funds have been raised to give direct financial aid to those for whom part-time work is not practical, and the entire community has been made acutely aware of the nature of the problem. The results so far have been highly impressive.

A great need exists too, in most communities, for adequate

-7-

vocational and on-the-job training programs, to help equip previously unskilled workers with the abilities they need to compete in today's labor market. Here again is an area in which you, as business and civic leaders, can profitably concern yourselves.

This is the kind of work that must be done, all over America, if we are to fulfill our destiny as a just and democratic nation.

I'm well aware that in suggesting all these activities for you, in urging each of you to adopt a civic role commensurate with your influence, I am taking a good deal for granted. That is precisely what I mean to do.

Some of you may feel politically out of agreement with the civil rights cause -- you may find it presumptuous to be spoken to with so little regard for your personal opinions.

But to any of you who feel that way I can offer no apology. I can only say what I believe is true: that the so-called issue of civil rights today is something that transcends the arena of political opinion.

We needn't be Democrats or Republicans, liberals or conservatives, businessmen or government officials, to face the realities of our time and do our best to deal with them. All we need to be is Americans.

It is as Americans that all of us are working today to maintain a healthy economy. It was as Americans that we worked together last year to bring about the Cuban exchange. It is as Americans that all of us are interested in a strong national defense and in the cause of world peace.

And that, it seems to me, is the only light in which any

-8-

American in this generation can afford to see the Negro's struggle for equal opportunity. This is a movement that must involve us all, or the very foundations of our democracy will be placed in jeopardy.

What I'm taking for granted, then, is not your advocacy of any one political force -- and not even your belief in the cause of any one racial minority. It is simply your belief in America, and in the cause of human justice.

Thank you.